

**TOWNSHIP TRUSTEES' BULLETIN
and Uniform Compliance Guidelines**

Volume 233, Page 1

June 1996

ITEMS TO REMEMBER

JUNE

- June 1: On or before this date, certify to County Treasurer a list of the name and addresses of all persons who have money due them. (IC 6-1.1-22-14)
- June 10: If School Township has become a part of a school corporation organized under Chapter 202, Acts 1959, as amended, and if the reorganized school unit is obligated for civil aid bond retirement, Trustee will receive from the school corporation an amount of money sufficient to pay civil aid bonds and coupons coming due July 1. (IC 20-4-1-35)
- June: All local investment officers shall reconcile at least monthly the balance of public funds as disclosed by the records of the local officers, with the balance statements provided by the respective depositories. IC 5-13-6-1.

JULY

- July 1: On or before this date the trustee shall supply the county auditor with Township Trustees' Quarterly Poor Relief Report of Actual and Estimated Receipts and Disbursements (Township P.R. Form 8, 1993) as discussed in Township Trustees' Bulletin, Vol. 223, November 1993.
- July 4: Independence Day - Legal Holiday (IC 1-1-9-1)
- July 8: Dog Tax Distribution by Auditor of State - on or before this date the County Auditor makes distribution to townships having reported unpaid claims. (Second Monday in July) (IC 15-5-9-11)
- July 15: Last day to make pension report and payment for first quarter by townships participating in PERF.
- July 31: Last day to file quarterly report, Form 941, to the Internal Revenue Service for federal and social security taxes for the second quarter.

**TOWNSHIP TRUSTEES' BULLETIN
and Uniform Compliance Guidelines**

Volume 233, Page 2

June 1996

July 31: Last day to make report for second quarter to the Indiana Employment Security Division.

July: All local investment officers shall reconcile at least monthly the balance of public funds as disclosed by the records of the local officers, with the balance statements provided by the respective depositories. IC 5-13-6-1.

AUGUST

NOTE: The Township Board should set the salaries of township officials and employees except assessing officials and employees, in conjunction with the preparation and completion of the township budget. (Use Township Form 17)

Aug. 7: On the first Monday of each August the Trustee shall post, in a conspicuous place near his office, a verified statement showing the indebtedness of the township in detail and giving the number and total amount of outstanding orders, warrants and accounts. (IC 36-6-4-10)

Aug. 10: Last day for first publication of Township Budget (10 days prior to the public hearing). (IC 6-1.1-17-3)

Aug. 17: Last day for second publication of Township Budgets (7 days after the first publication). (IC 5-3-1-2)

Aug. 20: Public hearing on proposed budget (at least 7 days prior to the adoption of the budget). (IC 6-1.1-17-5)

Aug. 27: Meeting of Township Board to make appropriations for 1996 and to fix tax levies. (After July 31st and not later than the last Tuesday in August) (IC 6-1.1-17-5)

August: All local investment officers shall reconcile at least monthly the balance of public funds as disclosed by the records of the local officers, with the balance statements provided by the respective

FORM APPROVAL PROCESS

The November 1993 Township Trustees' Bulletin, Volume 223 contained an article which provided in part "As a result of advances in computer technology, some computer hardware, software and application systems can now produce exact replicas of the forms prescribed by the State Board of Accounts. Additionally, some of the prescribed forms are currently replicated on continuous, preformatted computer paper.

The State Board of Accounts prescribes the required accounting system forms, but does not specify the source from which the forms must be obtained. Therefore, the State Board of Accounts will not take exception to the use of forms which provide exact replications of the prescribed forms created by computer printer or utilizing continuous form computer paper.

**TOWNSHIP TRUSTEES' BULLETIN
and Uniform Compliance Guidelines**

Volume 233, Page 3

June 1996

FORM APPROVAL PROCESS - continued

All prenumbered forms must still be serially prenumbered by the printing supplier prior to delivery to the township). These exact replications must be identical to the prescribed forms in format, titles and locations of data. These exact replications of prescribed forms are not required to be submitted to the State Board of Accounts for approval..."

Several software vendors have been able to take advantage of the newer technologies while other vendors have been unable to replicate prescribed forms. Certainly the prescribed form replication is the preferred approach from our audit position. However, in an effort to accommodate townships, the State Board of Accounts offers the following alternative.

Decisions regarding the participation of townships with vendor software systems are the responsibility of the elected township board and trustee. Accordingly, a township board if desiring to use forms generated by a particular software program or package, may pass a resolution so stating their preference. The resolution and a letter (see sample letter required on page 8) would be sent to the State Board of Accounts for compliance with applicable statutes and regulations and to provide assurance that a township does indeed desire to use the forms. The forms submitted should be very similar to the prescribed system (same headings and titles, information, etc.). Otherwise, a cross-reference to the prescribed form intended to be replaced should be submitted. The State Board of Accounts approval is based upon compliance with the conditions outlined on pages 6 and 7 and review during the audits of the township. Thereafter, other townships may use any forms previously approved for the original township using that particular software program (assuming compliance with the conditions outlined on pages 6 and 7 and subsequent audits).

Any forms not previously reviewed and approved by the State Board of Accounts would need to go through the traditional form approval process, ie; a vendor decides to change a form six months after the original approval or a township does not like the form a vendor is using and tries to create their own, those type of forms would require separate approval. However, once approved the new process as summarized below could be utilized.

Summarization of the new form approval process:

1. The Township Board and the Trustee of Township "A" passes a resolution in a public meeting stating the desire to use forms generated by a specific software program.
2. A copy of the resolution along with information in the sample letter (page 8) is sent to the State Board of Accounts by Township "A" along with a sample of all reports and forms of the system. The forms submitted should be very similar to the prescribed system (same headings, titles, information, etc.). Otherwise, **a cross-reference to the prescribed form intended to be replaced must be submitted.**
3. Township "A" receives an approval letter from the State Board of Accounts and begins using the forms without any further approvals in the future.

**TOWNSHIP TRUSTEES' BULLETIN
and Uniform Compliance Guidelines**

Volume 233, Page 4

June 1996

FORM APPROVAL PROCESS - continued

4. Townships "B", "C", etc., send to the State Board of Accounts the same type of resolution and sample letter (page 8), (no forms are sent to the State Board of Accounts). Townships "B", "C", etc., adhere to the conditions on pages 6 and 7 and recommendations made during audits and begin using the forms without further approvals in the future unless the forms change. **Previously approved forms for that system do not have to be sent in for approval.** Townships "B", "C", etc. will not receive approval letters as they have agreed to abide by the conditions in the "Township Trustees' Bulletin".

We are hopeful the new process will provide an innovative procedure to save time and expense by townships while still complying with statutory and regulatory requirements. We are counting on townships to help in monitoring any form changes.

Normal Form Approval Conditions:

1. Any items noted in red ink are a condition of approval.
2. The forms and system shall be subject to further review and/or recommendations during the audits of the Township to allow for on-site review as well as to ensure compliance with current statutes.
3. Any other Forms, Checks, Receipts, etc., necessary to complete the system shall be submitted to our Office for approval. You shall continue to maintain all prescribed forms not otherwise covered by an approval.
4. All transactions that occur in the system must be recorded. Transactions can be maintained on-line, on backup tapes, microfilmed, or printed on hardcopy. These transactions include but are not limited to: all input transactions, transactions that generate receipts, transactions that generate checks, master file updates, and all transactions that affect the ledgers in any way. For all information maintained on the system, the system must be designed in such a manner that changes to a transaction file cannot occur without being processed through an application.
5. The ability must not exist to change data after being posted. If an error is discovered after the entry has been posted, then a separate correcting entry must be made. Both the correcting entry and the original entry must be maintained.

**TOWNSHIP TRUSTEES' BULLETIN
and Uniform Compliance Guidelines**

Volume 233, Page 5

June 1996

FORM APPROVAL PROCESS - continued

6. If the unit owns the source code, sufficient controls must exist to prevent unauthorized modification. If the unit does not own the source code, upon request or in the event the vendor no longer provides maintenance service for the system, the vendor shall provide representatives of the State Board of Accounts with access to all computer source code for this system. In addition, the vendor shall provide representatives of the State Board of Accounts with a document describing the operating system used, the language that the source code is written in, the name of the compiler used, and the structure of the data files including data file names and data file descriptions, field names and field descriptions for the system upon request.
7. Any Checks, Receipts, Purchase Orders, Deposit Advices or other prescribed forms that require numbering shall be serially prenumbered by the printing supplier prior to delivery to the Township. All receipts are to be printed at the time money is received. Furthermore, Checks, Receipts, Purchase Orders or Deposit Advices shall not be presigned and shall have duplicates. An approved check register may be used to meet the duplicate requirement for checks.
8. Recap sheets for each depository for deposit advices, if applicable, will be maintained indicating direct deposits. Individual wage assignment agreements will be kept on file to support direct deposit.
9. Checks drawn on multiple bank accounts should only occur if as the result of compliance with the Public Depository Law.
10. Transaction Listings (check registers, receipt registers, etc.) shall be printed out for the fiscal year (at a minimum) in hardcopy and retained for audit. All other reports which document and support the published annual financial statements should also be printed out at year end and retained for audit.
11. Any changes to forms prescribed by the State Board of Accounts, including those required because of changes of Federal or State law or regulation, will be immediately implemented by the Township.

(1) The first Township approved would have a period after the word "provided" and the rest of the sentence would be deleted. All other Townships requesting use of that system should show the information stated after the word "provided".

**TOWNSHIP TRUSTEES' BULLETIN
and Uniform Compliance Guidelines**

Volume 233, Page 7

June 1996

NEW LAWS AFFECTING TOWNSHIPS

The following is a digest of some of the laws passed by the 1996 General Assembly affecting school corporations. Please note the effective dates. Some of the laws do not pertain directly to townships but are included in the digest for ready reference to the covered subject matter.

The digest is not intended as an expression of legal interpretation. Nor is the digest intended to be all inclusive. References in the digest will be to the Indiana Code in the following form (Amends IC 12-20-9-6) (Amends Indiana Code, Title 12, Article 20, Chapter 9, Section 6).

PUBLIC LAW 2 - SENATE ENROLLED ACT 55 - EFFECTIVE MARCH 10, 1996. VOLUNTEER FIRE FIGHTER SERVICE FEES. Amends IC 36-8-12-13 to provide that owners shall remit payments directly to the governmental units providing the service. Any money that is collected may be used to pay principal and interest on a loan under IC 22-14-5.

PUBLIC LAW 5 - HOUSE ENROLLED ACT 1036 - EFFECTIVE JULY 1, 1996. STATE ETHICS COMMISSION. Amends IC 4-2-6-1 concerning the State Ethics Commission. Also adds various other articles and chapters to IC 4; 5; 8; 9; 14; 20; 21; 26 and 27 concerning ethics.

PUBLIC LAW 13 - SENATE ENROLLED ACT 240 - EFFECTIVE JULY 1, 1996. LOCAL INFRASTRUCTURE REVOLVING FUND. Adds IC 4-10-19 to establish the Local Infrastructure Revolving Fund. The purpose is to provide funds (loans, grants, etc.) to local governments for infrastructure projects. The Fund will be administered by the State Budget Agency.

PUBLIC LAW 17 - HOUSE ENROLLED ACT 1003 - EFFECTIVE JULY 1, 1996. AGENCY RULES. Adds sections to IC 4-22-2 concerning rules adopted and interpretations thereof of various state agencies and publishing an index in the Indiana Register.

PUBLIC LAW 18 - SENATE ENROLLED ACT 344 - EFFECTIVE MARCH 21, 1996. DEPOSITORIES AND INVESTMENTS. Amends IC 5-13-4-10 to define financial institution as a bank, trust company or mutual savings bank that (A) was incorporated under the law of Indiana or any other state; and (B) has its principal office or branch in Indiana. A national banking association with its principal office or branch in Indiana .

Amends IC 5-13-6-1 to provide that all local investment officers shall reconcile at least monthly the balance of public funds with the statements provided by the respective depositories.

Amends IC 5-13-8-1 to provide that financial institutions may apply to the state board of finance to become depositories and receive public funds of political subdivisions. Financial institutions would need to submit applications to the Treasurer of the State to be designated as a depository of the State under IC 5-13-9.5. The State Board of Finance reviews the applications and makes

**TOWNSHIP TRUSTEES' BULLETIN
and Uniform Compliance Guidelines**

Volume 233, Page 8

June 1996

PUBLIC LAW 18 - SENATE ENROLLED ACT 344 (continued)

determinations if applicants are qualified. If the applicants are qualified, the Treasurer of State shall add the financial institutions to the list of depositories eligible to receive public funds from political subdivisions.

A political subdivision may deposit public funds in a financial institution only if an institution is (1) on the list of depositories described in IC 5-13-8-1(c) and (2) has a principal office or branch which qualifies under IC 5-13-8-9. The State Board of Finance shall make available information concerning financial institutions on the list as may be requested by a local board of finance. A local board of finance may rely on certificates described in IC 5-13-8-1(b)(1)(C) in determining to deposit public funds or reinvest public funds in the financial institution.

IC 5-13-8-6 is amended to provide for revocation and resignation items.

Amends IC 5-13-8-7 concerning revocations.

Amends IC 5-13-8-9 concerning deletion of maintaining deposits in proportion for two or more financial institutions designated.

Amends IC 5-13-9-2 to provide for investment or reinvestment in:

(1) Securities backed by the full faith and credit of the United States Treasury or fully guaranteed by the United States and issued by any of the following:

- (A) The United States Treasury.
- (B) A federal agency.
- (C) A federal instrumentality.
- (D) A federal government sponsored enterprise.

(2) Discount notes issued by any of the following:

- (A) A federal agency.
- (B) A federal instrumentality.
- (C) A federal government sponsored enterprise.

Deletes IC 5-13-9-2(c) concerning two year maturity. (However, see IC 5-13-9-5.6).

Amends IC 5-13-9-2(d) to provide investing officers shall accept safekeeping receipts or other reporting for securities.

Amends IC 5-13-9-3 as amended by HEA 1310 - 1996 to provide "Repurchase Agreements" means an agreement:

- (1) involving the purchase and guaranteed resale of securities between two (2) parties; and
- (2) that may be entered into for a fixed term or arranged on an open or a continuing basis as a continuing contract that:
 - (A) operates like a series of overnight repurchase agreements;
 - (B) is renewed each day with the repurchase rate and the amount of funds invested determined daily; and
 - (C) for purposes of this article, is considered to have a stated final maturity of one (1) day.

IC 5-13-9-3(b) is amended to provide that officers may enter into repurchase agreements involving the political subdivision's purchase and guaranteed resale

**TOWNSHIP TRUSTEES' BULLETIN
and Uniform Compliance Guidelines**

Volume 233, Page 9

June 1996

PUBLIC LAW 18 - SENATE ENROLLED ACT 344 (continued)

of any interest-bearing obligations: (A) issued; or (B) fully insured or guaranteed by United States, United States government agency, an instrumentality of the United States, or a federal government sponsored enterprise. The depository shall determine daily the amount of money in this type of agreement must be fully collateralized by interest-bearing obligations as determined by their current market value. IC 5-13-9-3(c) is added to provide if the market value of the obligations being held as collateral falls below the level required under IC 5-13-9-3(b) or a higher level established by agreement, the depository shall deliver additional securities to the political subdivision to make the agreement collateralized to the applicable level. The collateral involved in a repurchase agreement entered into under this section is not subject to the maturity limitation provided in IC 5-13-9-5.6.

IC 5-13-9-3(d) is amended to provide a political subdivision may invest in repurchase agreements without entering into a contract under IC 5-13-11 for an investment cash management system.

Adds IC 5-13-9-3.3 to provide for the investment or reinvestment of any funds that are held by the officer and available for investment in obligations issued, assumed, or guaranteed by the International Bank for Reconstruction and Redevelopment or the African Development Bank.

IC 5-13-9-4 is amended to provide each officer designated in IC 5-13-9-1 may deposit, invest, or reinvest any funds held by the officer and available for investment in transaction accounts issued or offered by a designated depository for the rates and terms agreed upon periodically by the officer making the investment and the designated depository. (IC 5-13-4-24 defines transaction accounts as any deposit account other than a certificate of deposit.) The fiscal body of a political subdivision shall require the investing officer to deposit and maintain deposits that are invested or reinvested under IC 5-13-9-4 as follows:

- (1) In one (1) or more depositories designated by the political subdivision, if the sum of the monthly average balances of all of the transaction accounts for the political subdivision does not exceed one hundred thousand dollars (\$100,000).
- (2) In each depository designated for the political subdivision, if subdivision (1) does not apply and less than three (3) financial institutions are designated by the local board of finance as a depository.
- (3) In at least two (2) depositories designated for the political subdivision, if subdivision (1) does not apply and at least three (3) financial institutions are designated by the local board of finance as a depository.

IC 5-13-9-4(b) is amended to provide investing officers depositing in certificates of deposits shall obtain quotes of the specific rates of interest for the term of that certificate of deposit that each designated depository will pay on the certificate of deposit.

A deposit made under this subsection shall be placed in the designated depository quoting the highest rate of interest. If more than one (1) depository submits a quote of the highest rate of interest rate quoted for the investment, the deposit may be placed in any or all of the designated

**TOWNSHIP TRUSTEES' BULLETIN
and Uniform Compliance Guidelines**

Volume 233, Page 10

June 1996

PUBLIC LAW 18 - SENATE ENROLLED ACT 344 (continued)

depositories quoting the highest rate in the amount or amounts determined by the investing officer's discretion.

Amends IC 5-13-9-5 to provide the fiscal body may by resolution authorize the investing officer to invest in certificates of deposit of depositories that have not been designated by the local board of finance but have been designated by the State Board of Finance as a depository for state investments under IC 5-13-9.5.

Adds IC 5-13-9-5.6 to provide investments made under this chapter must have a stated final maturity of not more than two (2) years after the date of purchase or entry into a repurchase agreement.

Amends IC 5-13-9-6 to remove section (h) concerning deducting insurance assessments from interest.

Amends IC 5-13-9-6(g) to provide interest from the investment of the public funds of a political subdivision may not be paid personally or for the benefit of any public officer.

Adds IC 5-13-9-8.5 to provide funds deposited in deposit accounts in accordance with this chapter and interest earned or accrued on the funds are public funds and are covered by the insurance fund.

Adds IC 5-13-9.5 concerning Designation of State Depositories.

Sections 36 and 37 contain provisions concerning existing and new depositories including (c) A financial institution that is a depository for a political subdivision on the effective date of this section, and any successor financial institution, continues to be a depository for the political subdivision after the effective date of this section without reapplying under IC 5-13-10.5, as added by this act or IC 5-13-8-1, as amended by this act, until the earliest of the following occurs:

- (1) The state board of finance revokes the status of the financial institution as a depository.
- (2) The financial institution notifies the state board of finance or the local board of finance for the political subdivision that the financial institution is resigning as a depository for the political subdivision.
- (3) Another law terminates the depository status of the financial institution.

Amends IC 20-5-7-4 to add current investments in accordance with IC 5-13-2.5.

Amends IC 36-1-8-11 as added by HEA 1230-1996, to provide a credit card means:

- (1) credit card;
- (2) debit card;
- (3) charge card; or
- (4) stored value card.

Repeals IC 5-13-4-3; IC 5-13-8-2; IC 5-13-8-3; IC 5-13-8-4; IC 5-13-8-5; IC 5-13-8-10; IC 5-13-8-11; IC 5-13-9-7; PL 40-1995, Section 6.

**TOWNSHIP TRUSTEES' BULLETIN
and Uniform Compliance Guidelines**

Volume 233, Page 11

June 1996

PUBLIC LAW 19 - HOUSE ENROLLED ACT 1272 - EFFECTIVE JULY 1, 1996. LIBRARY FEES. Amends IC 20-14 concerning library fees for library districts.

PUBLIC LAW 26 - HOUSE ENROLLED ACT 1297 - EFFECTIVE VARIOUS DATES. PENSION

RELIEF PAYMENTS. HOMESTEAD CREDIT. PROPERTY TAX RELIEF PAYMENTS. EXCISE TAX. Amends IC 5-10.3-11-5 effective January 1, 1997 to provide an annual reporting to each affected unit of local government of the projected pension payments for the next twenty (20) years and the present value of the total future projected pension payments.

Amends IC 6-1.1-20-9-2 effective January 1, 1996 concerning Homestead Credits available.

Amends IC 6-1.1-21-10 effective January 1, 1996 adjusting the distribution schedule for property tax replacement.

Amends IC 6-6-5-5 effective January 1, 1996 concerning auto license excise taxes to be paid.

Also adds sections 18 and 19 concerning pension stabilization and pension relief.

PUBLIC LAW 35 - HOUSE ENROLLED ACT 1047 - EFFECTIVE JULY 1, 1996 AND DECEMBER 1, 1992. RETROACTIVE PERF. Amends IC 5-10.2 concerning PERF benefits.

PUBLIC LAW 39 - HOUSE ENROLLED ACT 1159 - EFFECTIVE JANUARY 1, 1997. Amends IC 5-11 concerning audit findings being based upon written compliance guidelines.

PUBLIC LAW 40 - HOUSE ENROLLED ACT 1230 - EFFECTIVE JULY 1, 1996. PAYMENT TYPES, ACCOUNTS PAYABLE VOUCHER REGISTER. Adds IC 36-1-8-11 to provide for payments received by political subdivisions by any of the following that the fiscal body authorizes:

- (1) Cash.
- (2) Check.
- (3) Bank draft.
- (4) Money order.
- (5) Bank card or credit card.
- (6) Electronic funds transfer.
- (7) Any other financial instrument authorized by the fiscal body.

Also provides if there is a charge to the political subdivision for the use of the instrument other than a bank card or credit card, the political subdivision shall collect a sum equal to the amount of the charge from the person who uses the instrument.

Adds item (c) to provide for uniform application to all payments of the same type.

Provides item (d) the political subdivision may contract with a bank card or credit card vendor for acceptance of bank cards or credit cards. Further changes are made by Public Law 18.

**TOWNSHIP TRUSTEES' BULLETIN
and Uniform Compliance Guidelines**

Volume 233, Page 12

June 1996

PUBLIC LAW 40 - HOUSE ENROLLED ACT 1230 (continued)

Also amends IC 5-11-10-2 to replace the claim and allowance docket with the "accounts payable voucher register".

PUBLIC LAW 41 - HOUSE ENROLLED ACT 1310 - EFFECTIVE FEBRUARY 27, 1996. STANDING REPURCHASE AGREEMENTS, SWEEP ACCOUNTS. Amends IC 5-13-9-3 [a][2] to provide that investing officers may enter into agreements, commonly known as repurchase or resale agreements [including standing repurchase or resale agreements, commonly known as sweep accounts], with depositories designated by the State Board of Finance as depositories for state investments, involving the purchase and guaranteed resale of any interest-bearing obligations: [A] issued; or [B] fully insured or guaranteed; by the United States, any United States government agency, or any instrumentality of the United States government. The amount of money in this type of agreement must be fully collateralized by interest-bearing obligations as determined by the current market value computed on the day a transaction is effective. The collateral for this type of agreement is not subject to the provisions of IC 5-13-9-2 [c].

An investment of public funds (as defined in IC 5-13-4-20): (1) made under a repurchase or resale agreement, including a standing repurchase or resale agreement, that was entered into before the effective date of this act; and (2) that: (A) would have been in compliance with IC 5-13-9-3, as amended by this act, if IC 5-13-9-3, as amended by this act, had been in effect at the time the repurchase or resale agreement, including a standing repurchase or resale agreement, was entered into; (B) is no longer in effect on the effective date of this act; or (C) is brought into compliance with IC 5-13-9-3, as amended by this act, not more than ninety (90) days after the effective date of this act; is legalized and validated.

PUBLIC LAW 42 - HOUSE ENROLLED ACT 1288 - EFFECTIVE JULY 1, 1996. ACCESSIBILITY STANDARDS. Amends IC 5-16-9 concerning minimum parking, space size and other standards.

PUBLIC LAW 44 - SENATE ENROLLED ACT 152 - EFFECTIVE JULY 1, 1996. LATE PAYMENT PENALTIES. Amends IC 5-17-5-1 to change the classification of interest to a late payment penalty. Provides that a payment is timely if [1] a check or warrant is mailed or delivered on the date specified for the amount specified in the applicable contract documents, or, if no date is specified, within thirty-five (35) days of: [A] receipt of a properly completed claim; or [B] the invoice date.

PUBLIC LAW 45 - SENATE ENROLLED ACT 364 - EFFECTIVE JULY 1, 1996. ACCESS INDIANA. Adds IC 5-21-1-1.5 to provide for the state wide digital telecommunications system implemented under IC 5-21-2-2(b).

PUBLIC LAW 49 - HOUSE ENROLLED ACT 1133 - EFFECTIVE JANUARY 1, 1997. BUDGETS. Amends IC 6-1.1-17-5 to provide that officers of political subdivisions shall meet each year to fix the budget, tax rate and tax levy not later than September 20th.

**TOWNSHIP TRUSTEES' BULLETIN
and Uniform Compliance Guidelines**

Volume 233, Page 13

June 1996

PUBLIC LAW 49 - HOUSE ENROLLED ACT 1133 (continued)

Also amends IC 6-1.1-17 concerning objection and appeal procedures and IC 6-1.1-17-3 to provide budget forms prescribed by the State Board of Tax Commissioners approved by the State Board of Accounts.

Also amends IC 36-6-6-9 to provide the township board shall meet on or before the third Tuesday after the first Monday in January.

PUBLIC LAW 51 - SENATE ENROLLED ACT 6 - EFFECTIVE JULY 1, 1996. POOR RELIEF. Amends IC 6-1.1-17-3 to provide that the trustee of each township in the county shall estimate the cost of poor relief and publish the tax rate for poor relief.

Adds IC 12-7-2 providing definitions for basic necessities; countable asset; countable income; county home; emergency; household; shelter; recipients; requests for assistance; and wasted resources.

Adds IC 12-20-1-4 concerning penalty provisions for poor relief fraud.

Amends IC 12-20-4-3 to provide the trustee shall fix the pay for poor relief supervisors, investigators, assistants and other necessary employees subject only to the total budgetary appropriation for personal services approved by the township board.

Amends IC 12-20-4-7 to provide for two or more townships joining together to employ investigators.

Adds IC 12-20-4-11 to provide the poor relief supervisors, investigators, assistants or other necessary employees shall be paid only for the number of days actually engaged in employment during each month. Provides the township trustee having a township population of at least ten thousand (10,000) may employ a chief deputy who may be paid from any township funds.

Adds IC 12-20-5.5 providing for Poor Relief Standards. The township trustee shall process all applications for poor relief according to uniform written standards and without consideration of the race, creed, nationality, or gender of the applicant or any member of the applicant's household. The township's standards for the issuance of poor relief and the processing of applications must be:

- (1) governed by the requirements of this article;
- (2) proposed by the township trustee, adopted by the township board, and filed with the board of county commissioners;
- (3) reviewed and updated annually to reflect changes in the cost of basic necessities in the township and changes in the law;
- (4) published in a single written document, including addenda attached to the document; and
- (5) posted in a place prominently visible to the public in all offices of the township trustee where poor relief applications are taken or processed.

Standards for the administration of poor relief must contain the following:

- (1) Criteria for determining poor relief eligibility.
- (2) Minimum requirements of township trustee accessibility.
- (3) Other information as needed, including the following:
 - (A) Township office locations, hours, and days of availability.
 - (B) Initial eligibility criteria.
 - (C) Continuing eligibility criteria.

**TOWNSHIP TRUSTEES' BULLETIN
and Uniform Compliance Guidelines**

Volume 233, Page 14

June 1996

PUBLIC LAW 51 - SENATE ENROLLED ACT 6 (continued)

- (D) Workfare requirements.
- (E) Essential and nonessential assets.
- (F) Available resources.
- (G) Income exemptions.
- (H) Application process.
- (I) Countable income.
- (J) Countable assets.
- (K) Wasted resources.

(a) The township trustee shall ensure adequate access to poor relief services, including a published telephone number in the name of the township.

(b) A poor relief office, if separate from the township trustee's residence, must be designated by a clearly visible sign that lists the:

- (1) township trustee's name;
- (2) availability of poor relief assistance; and
- (3) poor relief office's telephone number.

The sign must conform to all local zoning and signage restrictions.

(a) This section does not apply to a township trustee who has assisted less than fifty-one (51) households during each of the two (2) years immediately preceding the date of the township trustee's annual report under IC 12-20-28-3.

(b) To ensure minimum accessibility, a township trustee operating a poor relief office in a township with a population of at least ten thousand (10,000) shall provide scheduled office hours for poor relief and staff each office with an individual qualified to:

- (1) determine eligibility; and
- (2) issue relief sufficient to meet the poor relief needs of the township.

(c) To meet the requirements of subsection (b), the township trustee shall do the following:

- (1) Provide poor relief office hours for at least fourteen (14) hours per week.
- (2) Provide that there is not more than one (1) weekday between the days the poor relief office is open.
- (3) Provide for after hours access to the poor relief office by use of an answering machine or a service:
 - (A) capable of taking messages; and
 - (B) programmed to provide information about poor relief office hours.
- (4) Respond to a telephone inquiry for poor relief services not more than twenty-four (24) hours, excluding Saturdays, Sundays, and legal holidays, after receiving the inquiry.
- (5) Post poor relief office hours and telephone numbers at the entrance to each poor relief office.

The township's standards for the administration of poor relief must include all applicable standards governing the provision of basic necessities, including maximum amounts, special conditions, or other limitations on eligibility, if any have been established for one (1) or more basic necessities.

A township trustee shall set income standards for the township that provide for financial eligibility in an amount consistent with reasonable costs of basic necessities in the trustee's particular township.

PUBLIC LAW 51 - SENATE ENROLLED ACT 6 (continued)

Amends IC 12-20-6 concerning the poor relief applications.

Adds 12-20-6-5.5 concerning eligibility of public assistance programs and the application process.

Adds IC 12-20-6-6.5 concerning eligibility for individuals convicted of certain offenses.

Adds IC 12-20-6-6.6 concerning goods or services, benefits for individuals denied assistance.

Amends IC 12-20-6-7 provides that in a nonemergency request for poor relief assistance, the trustee shall act not later than seventy two (72) hours after receiving the application. The actions that may be taken except in cases of emergency are:

- (1) Grant assistance.
- (2) Deny assistance, including a partial denial of assistance.
- (3) Leave the decision pending.

Pending decisions (1) may not remain so more than seventy two (72) hours after the expiration period described in IC 12-20-6-7(a); and (2) must include a statement listing the specific reasons that assistance is not granted or denied within the period required.

Amends IC 12-20-6-8 to provide a trustee shall provide notice of action on an application by mailing notice or providing personal notice within seventy-two (72) hours.

Amends IC 12-20-6-9 concerning investigations by the trustee to determine whether an applicant or member of the applicant's household is entitled to income in the immediate future from any source including past or present employment, pending claims that may result in monetary award, or pending determination for assistance from any other federal or state governmental entity.

Amends IC 12-20-6-10 to provide a trustee may not use poor relief funds to pay for the cost of an applicant's shelter with a relative who is the applicant's landlord if the applicant lives in the same household as the relative; or housing separate from the relative and either the housing is unencumbered by mortgage; or the housing has not been previously rented by the relative to a different tenant at reasonable market rates for at least six (6) months.

Amends IC 12-20-7-1 concerning the consent to disclosure and release of information.

Amends IC 12-20-7-2 provides that the county office shall provide information regarding income, resources, or assets of members of the individual's household receiving public assistance.

Adds IC 12-20-7-2.5 to provide that upon request of the trustee the department of employment and training services shall provide without charge information regarding income, resources, and assets of; any benefits received by; members of an applicant's household.

**TOWNSHIP TRUSTEES' BULLETIN
and Uniform Compliance Guidelines**

Volume 233, Page 16

June 1996

PUBLIC LAW 51 - SENATE ENROLLED ACT 6 (continued)

Amends IC 12-20-7-3 to provide upon the request of the trustee the employer of a poor relief applicant or a member of the applicant's household shall provide the trustee information concerning salary and wages for determining eligibility.

Adds IC 12-20-7-3.5 to provide that upon request of the trustee the person holding the assets or title thereto for poor relief applicant or member of the applicant's household shall provide the trustee with information concerning the nature and value of those assets for determining the household's financial eligibility for poor relief.

Adds IC 12-20-9-5 to provide for household members' placement in a county home provided under IC 12-20-17-4.

Amends IC 12-20-9-6 concerning locations outside the township and denial of assistance for not more than one hundred eighty (180) days.

Amends IC 12-20-10 concerning work and the addition of the applicant's household.

Adds IC 12-20-10-3.5 to require and provide for medical examinations for applicant's and household members claiming inability to work due to health problems.

Amends IC 12-20-11-1(h) concerning work and failure to perform work as a basis for denying further assistance to recipient or recipient's household.

Amends IC 12-20-11-3 to add additional requirements for poor relief recipients being provided courses at Ivy Tech. Also amends IC 12-20-11-4 and 5 concerning work requirements.

Amends IC 12-20-15-3 to provide for the county commissioners to develop uniform written procedures for appeals. Also amends other sections of IC 12-20-15 requirements for county commissioners in issuing written decisions.

Amends IC 12-20-16-2 providing a trustee may provide interim medical services when an individual has an application pending for medical assistance under Medicaid (IC 12-15) or other governmental medical programs. Provides the trustee shall pay only for the following medical services for the poor of the township:

- (1) Prescription drugs as prescribed by an attending practitioner (as defined in IC 16-42-19-5) other than a veterinarian.
- (2) Office calls to a physician licensed under IC 25-22.5 or another medical provider.
- (3) Dental care needed to relieve pain or infection or to repair cavities.
- (4) Repair or replacement of dentures.
- (5) Emergency room treatment that is of an emergency nature.
- (6) Preoperation testing prescribed by an attending physician licensed under IC 25-22.5.
- (7) Over-the-counter drugs prescribed by a practitioner as defined in IC 16-12-19-5 other than a veterinarian.
- (8) X-rays and laboratory testing as prescribed by an attending physician licensed under IC 25-22.5.
- (9) Visits to a medical specialist when referred by an attending physician licensed under IC 25-22.5.

**TOWNSHIP TRUSTEES' BULLETIN
and Uniform Compliance Guidelines**

Volume 233, Page 17

June 1996

PUBLIC LAW 51 - SENATE ENROLLED ACT 6 (continued)

(10) Physical therapy prescribed by an attending physician licensed under IC 25-22.5.

(11) Eyeglasses.

(12) Repair or replacement of a prosthesis not provided for by other tax supported state or federal programs.

(13) Insulin and items needed to administer insulin in accordance with IC 12-20-16-14.

Also provides the trustee may establish a list of approved medical providers to provide medical services to the poor of the township. Also provides for reimbursements.

Amends IC 12-20-16-3 providing for essential utility services to include fuel oil services for heating and cooking, coal, wood, or liquid propane used for heating or cooking. Also provides the trustee is not required to pay for utility service not properly charged to an adult member of the household; emancipated minor who is the head of the household; or a landlord or former member of the household if the applicant proves that the applicant is responsible for payment of the bills; or received as a result of a fraudulent act by an adult member of a household requesting poor relief assistance.

Adds IC 12-20-11-1(a)(6) as a work exception, individuals attending courses under IC 12-20-3, or a job training program under IC 12-20-12-1 or another job training program approved by the trustee.

Also makes various changes to other sections of IC 12-20-16 concerning the applications for food assistance.

Also amends IC 12-20-16-12 to provide if the trustee determines a deceased individual was a resident of another township, the trustee shall notify the trustee of that township, who shall then provide a person to superintend and authorize either the funeral and burial or cremation. A trustee shall determine the cost for the items and services required by law for the funeral and burial of an individual, including a burial plot, and for the cremation of an individual, and include in the township's poor relief standards the maximum funeral and burial or cremation amount to be paid from poor relief funds.

Also provides the trustee may deduct from the maximum amount any monetary benefits the deceased individual is entitled to receive from a state or federal program. Any amount that another person provides on behalf of the deceased.

Further provides the trustee providing benefits is entitled to first priority claim, on property held by the coroner.

Also provides for the trustee providing a funeral, the cost may not be more than the cost of the least expensive funeral, including any necessary merchandise and embalming, under the funeral director's price list disclosed to the Federal Trade Commission.

Adds IC 12-20-16-17 concerning the employment of a housing inspector and contracts with housing authorities.

Adds IC 12-20-27-1.5 concerning subrogation agreements and Social Security Administration reimbursement authorizations.

**TOWNSHIP TRUSTEES' BULLETIN
and Uniform Compliance Guidelines**

Volume 233, Page 18

June 1996

PUBLIC LAW 51 - SENATE ENROLLED ACT 6 (continued)

Also amends IC 12-20-17 concerning shelter assistance.

Adds new definitions IC 12-20-28-3 concerning the annual statistical report required.

Also amends IC 23-14-27-1 regarding abandoned cemeteries that, to provide the chapter does not apply to a cemetery located on land on which property taxes are assessed and paid under IC 6-1.1-4.

Repeals IC 12-20-2-2; IC 12-20-4-8; IC 12-20-4-9; IC 12-20-4-10; IC 12-20-4-12; IC 12-20-6-2; IC 12-20-6-4; IC 12-20-9-1; IC 12-20-13-2; IC 12-20-14-1; IC 12-20-14-2; IC 12-20-16-4; IC 12-20-28-1; IC 12-20-28-2.

PUBLIC LAW 52 - SENATE ENROLLED ACT 219 - EFFECTIVE MARCH 21, 1996. BUDGET AGENCY REPORTS. Adds a non-code section to provide for a State Budget Agency report identifying the cost of programs for county welfare services; educational functions (as defined in IC 20-8.1-1-9) provided to county transfer students; and not paid from a county welfare fund or county family and children's fund; services paid by the state under IC 20-1-6-19 for S-5 students; and educational functions (as defined by IC 20-8.1-1-9); provided to special education pre-school children and not paid by the county welfare fund or county family and children's fund. Political subdivisions shall provide the information requested by the Budget Agency without charge.

PUBLIC LAW 54 - HOUSE ENROLLED ACT 1405 - EFFECTIVE MARCH 21, 1996. REMONSTRANCE PROCESS. Amends IC 6-1.1-20-3.2 concerning instructions and requirements on the remonstrance process.

Amends IC 36-8-13-3 concerning fire protection in Marion County.

PUBLIC LAW 66 - SENATE ENROLLED ACT 122 - EFFECTIVE JANUARY 1, 1996. MEDICAL CARE SAVINGS ACCOUNTS. Amends IC 6-8-11-10. Provides that if an employer before establishing a medical care savings account program under this chapter, did not pay eligible medical expenses for employees through a health coverage policy, certificate or contract, the employer may contribute all or part of the deductible to establish a medical care savings account program.

PUBLIC LAW 134 - HOUSE ENROLLED ACT 1011 - EFFECTIVE JULY 1, 1996. SHOOTING RANGES. Adds IC 14-22-31.5 concerning local units of government regulating shooting ranges.

PUBLIC LAW 141 - SENATE ENROLLED ACT 161 - EFFECTIVE JULY 1, 1996. WEED DESTRUCTION. Amends IC 15-3-4-3(d) to provide that the certified statement shall be mailed to the auditor of the state for any real estate owned by the state or to the fiscal officer of another municipality (as defined in IC 5-11-1-16) for real estate owned by the municipality.

Adds item (j) to provide the auditor of state shall issue a warrant to pay the amount set forth in the certified statement of costs for real estate owned by

**TOWNSHIP TRUSTEES' BULLETIN
and Uniform Compliance Guidelines**

Volume 233, Page 19

June 1996

PUBLIC LAW 141 - SENATE ENROLLED ACT 161 (continued)

the state. Adds item (k) to provide the fiscal officer of the municipality shall make the necessary appropriation to pay the township amounts set forth in the certified statement of costs for real estate owned by the municipality.

Also adds section (l) for real estate exempt from property taxation to provide the owner shall pay the amount set forth.

PUBLIC LAW 142 - SENATE ENROLLED ACT 168 - EFFECTIVE JULY 1, 1996. DOG TAX.

Amends IC 15-5-9-8 to provide in part [1] Damages, less insurance proceeds, sustained by owners are eligible for reimbursement of the dog tax. Adds items [N] bison, [O] farm-raised cervidae, and [P] Ratitae.

Amends also IC 15-5-9-9.1 [C] to provide as it applies to ratitae, cash value is no more than the slaughter value.

Also adds IC 15-5-9-9.1 [E] No loss shall be paid for property owned by a claimant on the last property tax assessment date if the property was not reported by the owner for assessment purposes at that time.

PUBLIC LAW 169 - SENATE ENROLLED ACT 45 - EFFECTIVE MARCH 21, 1996. SAFETY REGULATIONS.

Amends IC 22-11 concerning door safety regulations for public buildings.

PUBLIC LAW 187 - HOUSE ENROLLED ACT 1336 - EFFECTIVE JULY 1, 1996. FRAUD INVESTIGATION INFORMATION EXCHANGE.

Adds IC 27-2-19 to create the Fraud Investigation Information Exchange. Provides procedures for governmental agencies that have reason to believe that an application for insurance or claims for proceeds is likely to be presented or based upon misrepresentation and with intent to fraud.

PUBLIC LAW 194 - HOUSE ENROLLED ACT 1075 - EFFECTIVE JULY 1, 1996. MINIMUM MATERNITY BENEFITS.

Adds IC 27-8-24 to provide minimum maternity benefits in insurance contracts.

PUBLIC LAW 229 - HOUSE ENROLLED ACT 1235 - EFFECTIVE JULY 1, 1996. CLOTHING AND AUTOMOBILE ALLOWANCE.

Amends IC 36-8-12-5 by providing clothing and automobile allowances of not less than one hundred dollars (\$100) per year, unless otherwise provided by contract.

Also amends IC 36-8-12-7 to provide for fire purposes medical expense limits may not be less than seventy-five thousand dollars (\$75,000).

**TOWNSHIP TRUSTEES' BULLETIN
and Uniform Compliance Guidelines**

Volume 233, Page 20

June 1996

PUBLIC LAW 231 - HOUSE ENROLLED ACT 1338 - EFFECTIVE MARCH 21, 1996 AND JULY 1, 1996. TOWNSHIP TAX RATES. Section 4 concerning townships appealing to the local government tax control board for adjustment of the 1997 general fund and fire fighting fund levies concerning counties.

PUBLIC LAW 243 - HOUSE ENROLLED ACT 1414 - EFFECTIVE MARCH 10, 1996. FORMS. Provides the Commission on Public Records to coordinate a study of forms.